

# DEPARTMENT OF HEALTH AND SOCIAL SERVICES

## DIVISION OF SOCIAL SERVICES

Statutory Authority: 31 Delaware Code, Section 512 (31 **Del.C.** §512)  
16 **DE Admin. Code** 11006.4

### PUBLIC NOTICE

### PROPOSED

#### Child Care Subsidy Program, Provider Reimbursement

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the **Delaware Code**) and under the authority of Title 31 of the **Delaware Code**, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, *Provider Reimbursement*.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2012.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

### SUMMARY OF PROPOSAL

The proposal described below amends policies in the Division of Social Services Manual (DSSM) regarding the Child Care Subsidy Program, specifically, *Provider Reimbursement*.

#### Statutory Authority

45 CFR §98.40, *Compliance with applicable State and local regulatory requirements*

#### Background

Effective October 1, 1996, Congress enacted the Child Care Development Fund (CCDF) which consolidated funding for child care for low-income working families and families reentering the workforce. The Child Care Subsidy Program provides support for families with young children to enable the caretaker to hold a job, obtain training or meet special needs of the child. Child care may also be provided in child abuse cases to help protect the child.

#### 2011 Delaware Child Care Market Rate Study

The 2011 Delaware Child Care Market Rate Study by Workplace Solutions was conducted to meet federal requirements of 45 Code of Federal Regulations Parts 98 & 99 to ensure that reimbursement rates allow subsidized low-income children equal access to early education and care. The goal of this Rate Study was to develop statistically credible information on the present market prices charged by licensed providers in Delaware. "Market prices" are prices providers charge parents for the care of their private-paying children. They are non-discounted prices charged to unrelated and unaffiliated parents.

#### Summary of Proposed Changes

Based on the findings of the 2011 Delaware Child Care Market Rate Study, the Delaware Legislature increased budget monies to give a provider reimbursement rate increase to 65% of Market Rate plus 50 cents effective October 1, 2011. Child care subsidy rates for child care services were updated for those providers participating in the subsidized child care program.

Accordingly, **DSSM 11006.4**, *Provider Reimbursement* is amended reflecting minor language changes. Additionally, this regulatory action removes the Delaware Child Care Provider Rate chart and the Child Care Income Limits chart from the Division of Social Services Manual (DSSM). The provider rate chart will be posted on the Division of Social Services' (DSS) website. The income limits chart is already on the DSS website.

#### DSS PROPOSED REGULATION #12-53

#### REVISION:

#### 11006.4 Provider Reimbursement

Reimbursement is monthly as indicated on the Day Care Contract (Compensation, Method of Payment, and Collection of Fee sections). Complete records must be retained by the provider for a period of three years, listing each child's daily attendance, accurately stating the number of authorized days present by type, and the number of absent days. These records will be monitored on a regular basis.

Payment will be made only for the number of days and type of authorization indicated on ~~individual Form 618d~~ the child's authorization notice and in accordance with absent day policy. Reimbursement rates differ for ~~children under the age of two and children two years of age and older~~ each type of child care setting.

#### **FFY 2006 CHILD CARE PROVIDER RATES**

##### **NEW CASTLE COUNTY**

|          | <i>LICENSED HOMES</i> |                      | <i>CENTERS</i>       |                      | <i>IN-HOME/RELATIVES</i> |                      |
|----------|-----------------------|----------------------|----------------------|----------------------|--------------------------|----------------------|
|          | Regular               | Special Needs        | Regular              | Special Needs        | Regular                  | Special Needs        |
| 0        | <del>\$ 110.00</del>  | <del>\$ 115.50</del> | <del>\$ 145.00</del> | <del>\$ 152.25</del> | <del>\$ 105.00</del>     | <del>\$ 110.25</del> |
| 1        | <del>\$ 105.00</del>  | <del>\$ 110.25</del> | <del>\$ 122.00</del> | <del>\$ 128.10</del> | <del>\$ 100.00</del>     | <del>\$ 105.00</del> |
| 2 to 5   | <del>\$ 82.35</del>   | <del>\$ 86.45</del>  | <del>\$ 104.60</del> | <del>\$ 109.85</del> | <del>\$ 58.00</del>      | <del>\$ 60.90</del>  |
| 6 & over | <del>\$ 84.30</del>   | <del>\$ 88.50</del>  | <del>\$ 104.60</del> | <del>\$ 109.85</del> | <del>\$ 58.00</del>      | <del>\$ 60.90</del>  |

##### **KENT COUNTY**

|          | <i>LICENSED HOMES</i> |                     | <i>CENTERS</i>      |                      | <i>IN-HOME/RELATIVES</i> |                     |
|----------|-----------------------|---------------------|---------------------|----------------------|--------------------------|---------------------|
|          | Regular               | Special Needs       | Regular             | Special Needs        | Regular                  | Special Needs       |
| 0        | <del>\$ 80.00</del>   | <del>\$ 84.00</del> | <del>\$ 97.50</del> | <del>\$ 102.40</del> | <del>\$ 75.00</del>      | <del>\$ 78.75</del> |
| 1        | <del>\$ 75.00</del>   | <del>\$ 78.75</del> | <del>\$ 85.00</del> | <del>\$ 89.25</del>  | <del>\$ 75.00</del>      | <del>\$ 78.75</del> |
| 2 to 5   | <del>\$ 66.20</del>   | <del>\$ 69.50</del> | <del>\$ 70.00</del> | <del>\$ 73.50</del>  | <del>\$ 45.90</del>      | <del>\$ 48.20</del> |
| 6 & over | <del>\$ 68.15</del>   | <del>\$ 71.55</del> | <del>\$ 71.95</del> | <del>\$ 75.55</del>  | <del>\$ 45.90</del>      | <del>\$ 48.20</del> |

##### **SUSSEX COUNTY**

|          | <i>LICENSED HOMES</i> |                     | <i>CENTERS</i>      |                      | <i>IN-HOME/RELATIVES</i> |                     |
|----------|-----------------------|---------------------|---------------------|----------------------|--------------------------|---------------------|
|          | Regular               | Special Needs       | Regular             | Special Needs        | Regular                  | Special Needs       |
| 0        | <del>\$ 75.50</del>   | <del>\$ 79.30</del> | <del>\$ 97.50</del> | <del>\$ 102.40</del> | <del>\$ 75.00</del>      | <del>\$ 78.75</del> |
| 1        | <del>\$ 75.00</del>   | <del>\$ 78.75</del> | <del>\$ 85.00</del> | <del>\$ 89.25</del>  | <del>\$ 75.00</del>      | <del>\$ 78.75</del> |
| 2 to 5   | <del>\$ 66.20</del>   | <del>\$ 69.30</del> | <del>\$ 70.00</del> | <del>\$ 73.50</del>  | <del>\$ 45.90</del>      | <del>\$ 48.20</del> |
| 6 & over | <del>\$ 68.15</del>   | <del>\$ 71.53</del> | <del>\$ 71.95</del> | <del>\$ 75.55</del>  | <del>\$ 45.90</del>      | <del>\$ 48.20</del> |

| CHILD CARE INCOME LIMITS — EFFECTIVE 10/01/2005 |  |            |
|---|--|------------|
| FAMILY SIZE                                     |  | INCOME     |
| 4   |  | \$1,596.00 |
| 2   |  | \$2,140.00 |
| 3   |  | \$2,682.00 |
| 4   |  | \$3,226.00 |
| 5   |  | \$3,770.00 |
| 6   |  | \$4,312.00 |
| 7   |  | \$4,856.00 |
| 8   |  | \$5,400.00 |
|   |  |            |
| Additional person add                           |  | \$544.00   |

